

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Arnold Lee Baker Jr.

Docket No. 4:09-CR-87-1FL

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Arnold Lee Baker, Jr., who, upon an earlier plea of guilty to Distribution of 5 Grams or More of Cocaine Base (Crack) and Aiding and Abetting, in violation of 21 U.S.C. § 841 (a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on June 9, 2010, to the custody of the Bureau of Prisons for a term of 128 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 5 years.

On June 2, 2016, pursuant to Federal Rule of Criminal Procedure 35(b), Baker's judgment was amended to 96 months custody in the Bureau of Prisons.

Arnold Lee Baker, Jr., was released from custody on January 13, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for cocaine on April 18, 2016, and April 27, 2016, which were confirmed by laboratory analysis on April 24, and May 7, 2016, respectively. The defendant signed admission of drug use forms acknowledging his use of cocaine on both occasions. He was verbally reprimanded and counseled about his actions. Baker has been referred for substance abuse treatment, and as a sanction, we are recommending that he serve 5 days in jail, as directed by the probation officer. It is also recommended that Baker participate in the DROPS Program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the third use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: June 8, 2016

ORDER OF THE COURT

Considered and ordered this 8th day of June, 2016 and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge